

EXHIBIT 1



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September 26, 2019

BY CERTIFIED MAIL

TO: ALL ADDRESSEES LISTED IN ATTACHMENT A

Re: Notice of Proposed Amended Settlements in *In re Cathode Ray Tube (CRT) Antitrust Litig.*, MDL No. 1917, Case No. 4:07-cv-05944-JST (N.D. Cal.)

Dear Sir or Madam:

This notice is jointly served by the following undersigned Defendants in the matter *In re Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917, Case No. 4:07-cv-05944-JST pending in the United States District Court for the Northern District of California before the Honorable Jon S. Tigar, each through their respective counsel:

- Panasonic Corporation, Panasonic Corporation of North America, and MT Picture Display Co., Ltd. (collectively, "Panasonic Defendants");
- Koninklijke Philips, N.V., Philips North America LLC, Philips Taiwan Limited, and Philips do Brasil, Ltda. (collectively, "Philips Defendants");
- Samsung SDI Co., Ltd.; Samsung SDI America, Inc.; Samsung SDI Mexico S.A. De C.V.; Samsung SDI Brasil Ltda.; Shenzhen Samsung SDI Co., Ltd.; Tianjin Samsung SDI Co., Ltd.; and Samsung SDI (Malaysia) Sdn. Bhd. (collectively, "Samsung SDI Defendants"); and
- Hitachi Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display Inc.), Hitachi Asia, Ltd., Hitachi America, Ltd., and Hitachi Electronic Devices (USA), Inc. (collectively, "Hitachi Defendants").

In connection with the Class Action Fairness Act of 2005 ("CAFA"), 28 U.S.C. § 1715, the Defendants hereby serve upon you notice of their proposed amended settlements with 22 state classes of Indirect Purchaser Plaintiffs ("IPPs") in this matter. The Panasonic Defendants, the Philips Defendants, the Samsung SDI Defendants, and the Hitachi Defendants each previously entered into separate settlement agreements with the IPPs, and each has separately agreed upon an amendment with the IPPs. Each of the Defendants previously notified your office of their respective original proposed settlements with the IPPs in separate letters dated June 5, 2015 (Samsung SDI Defendants) and June 8, 2015 (Panasonic Defendants, Hitachi Defendants, Philips Defendants). The action relates to alleged overcharges for cathode ray tubes ("CRTs") in the United States from March 1995 through November 2007. The enclosed compact disk contains the below referenced materials relating to these proposed amended settlements (all Tab references below refer to the enclosed CD).

28 U.S.C. § 1715(b)(1): Complaints and Amended Complaints

Enclosed are the following complaints:

1. Class Action Complaint, filed November 26, 2007 [Dkt. No. 1] (Tab 1)
2. IPPs' Consolidated Amended Class Action Complaint, filed March 16, 2009 [Dkt. No. 437] (Tab 2)
3. IPPs' Second Consolidated Amended Class Action Complaint, filed May 10, 2010 [Dkt. No. 716] (Tab 3)
4. IPPs' Third Consolidated Amended Class Action Complaint, filed December 11, 2010 [Dkt. No. 827] (Tab 4)
5. IPPs' Fourth Consolidated Amended Class Action Complaint, filed January 10, 2013 [Dkt. No. 1526] (Tab 5)
6. IPPs' Fifth Consolidated Amended Class Action Complaint, filed September 19, 2019 [Dkt. No. 5589] (Tab 6)

28 U.S.C. § 1715(b)(2): Notice of Hearing

A hearing on the IPPs' Motion Pursuant to Ninth Circuit Mandate to Reconsider and Amend Final Approval Order, Final Judgment and Fee Order is scheduled for October 23, 2019 at 2:00 p.m. at the United States Courthouse, Courtroom 6, 2nd Floor, 1301 Clay St., Oakland, CA 94612.

28 U.S.C. § 1715(b)(3)(A)-(B): Proposed Notifications to Class Members

Enclosed is the following declaration attaching proposed notifications to class members:

1. Declaration of Joseph M. Fischer Regarding Amendments to the Settlement, filed September 16, 2019 [Dkt. No. 5587-2] (Tab 7)
 - a. Ex. A: Proposed Postcard Notice [Dkt. No. 5587-2] (Tab 7a)
 - b. Ex. B: Proposed Email Notice [Dkt. No. 5587-2] (Tab 7b)
 - c. Ex. C: Proposed Detailed Notice [Dkt. No. 5587-2] (Tab 7c)

As explained further in the proposed notifications, class members were previously notified of the settlements and provided an opportunity to request exclusion from the class action, and no further opportunity is contemplated as a result of the amendment to the settlements.

28 U.S.C. § 1715(b)(4): Proposed Settlement

Enclosed are the following proposed settlement documents and corresponding materials:

1. IPPs' Notice of Motion and Motion for Preliminary Approval of Class Action Settlements with the Philips, Panasonic, Hitachi, Toshiba, and Samsung SDI Defendants, filed May 29, 2015. [Dkt. No. 3861] (Tab 8)
2. Declaration of Mario N. Alioto in Support of Indirect Purchaser Plaintiffs' Motion for Preliminary Approval of Class Action Settlements with Philips, Panasonic, Hitachi, Toshiba, and Samsung SDI Defendants, filed May 29, 2015. [Dkt. No. 3862] (Tab 9)
 - a. Ex. A: Philips settlement agreement [Dkt. No. 3862-1] (Tab 9a)
 - b. Ex. B: Panasonic settlement agreement [Dkt. No. 3862-2] (Tab 9b)
 - c. Ex. C: Hitachi settlement agreement [Dkt. No. 3862-3] (Tab 9c)
 - d. Ex. D: Toshiba settlement agreement [Dkt. No. 3862-4] (Tab 9d)
 - e. Ex. E: Samsung SDI settlement agreement [Dkt. No. 3862-5] (Tab 9e)
 - f. Ex. F: Proposed Summary Notice [Dkt. No. 3862-6] (Tab 9f)
 - g. Ex. G: Proposed Detailed Notice [Dkt. No. 3862-7] (Tab 9g)
 - h. Ex. H: Proposed Claim Form [Dkt. No. 3862-8] (Tab 9h)
3. IPPs' Notice of Motion and Motion Pursuant to Ninth Circuit Mandate to Reconsider and Amend Final Approval Order, Final Judgment and Fee Order, filed September 16, 2019 [Dkt. No. 5587] (Tab 10)
4. Declaration of Mario N. Alioto in Support of IPPs' Motion Pursuant to Ninth Circuit Mandate to Reconsider and Amend Final Approval Order, Final Judgment and Fee Order, filed September 16, 2019 [Dkt. No. 5587-1] (Tab 11)
 - a. Ex. A: Amendment to Philips settlement agreement [Dkt. No. 5587-1] (Tab 11a)
 - b. Ex. B: Amendment to Panasonic settlement agreement [Dkt. No. 5587-1] (Tab 11b)
 - c. Ex. C: Amendment to Hitachi settlement agreement [Dkt. No. 5587-1] (Tab 11c)
 - d. Ex. D: Amendment to Toshiba settlement agreement [Dkt. No. 5587-1] (Tab 11d)
 - e. Ex. E: Amendment to Samsung SDI settlement agreement [Dkt. No. 5587-1] (Tab 11e)

- f. Ex. F: Amendment to Technicolor (f/k/a Thomson) and TDA settlement agreement [Dkt. No. 5587-1] (Tab 11f)
- 5. Proposed Order Regarding Amended Settlements, Authorizing Supplemental Notice and Setting Schedule, filed September 16, 2019 [Dkt. No. 5587-3] (Tab 12)
 - a. Ex. A: Proposed Postcard Notice [Dkt. No. 5587-3] (Tab 12a)
 - b. Ex. B: Proposed Email Notice [Dkt. No. 5587-3] (Tab 12b)
 - c. Ex. C: Proposed Detailed Notice [Dkt. No. 5587-3] (Tab 12c)

28 U.S.C. § 1715(b)(5): Other Contemporaneous Agreements

Other than the settlement agreements and the amendments to those settlement agreements made between the each of the Defendants and IPPs, no agreements were contemporaneously made between counsel for the Defendants and counsel for the IPPs.

28 U.S.C. § 1715(b)(6): Final Judgments

Enclosed is the following final judgment of dismissal related to the proposed settlements:

- 1. Final Judgment of Dismissal with Prejudice as to the Philips, Panasonic, Hitachi, Toshiba, Samsung SDI, Thomson, and TDA Defendants, filed July 14, 2016 [Dkt. No. 4717] (Tab 13)

28 U.S.C. § 1715(b)(7)(A)-(B): Class Member Names, States of Residence, and Estimated Proportionate Shares

Because it is not feasible to provide “the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement to that State’s appropriate State official,” *see* 28 U.S.C. § 1715(b)(7)(A), Defendants have attempted to make “a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of claims of such members to the entire settlement.” *Id.* § 1715(b)(7)(B). Based upon review of the population of the United States by state, the following table estimates the proportionate share of the claims of class members residing in each state included in the amended settlements.¹ The class period encompasses 1995 to 2007 and, for comparison purposes, the table below utilizes U.S. Census Bureau population data for both 2000 and 2018.

¹ Defendants reserve the right to revise their estimates.

State	<u>2000</u>		<u>2018</u>	
	State Population ²	Estimated Share of Settlement	Estimated State Population ³	Estimated Share of Settlement
Arizona	5,130,632	3.98%	7,171,646	4.79%
California	33,871,648	26.30%	39,557,045	26.41%
District of Columbia	572,059	0.44%	702,455	0.47%
Florida	15,982,378	12.41%	21,299,325	14.22%
Hawaii	1,211,537	0.94%	1,420,491	0.95%
Iowa	2,926,324	2.27%	3,156,145	2.11%
Kansas	2,688,418	2.09%	2,911,505	1.94%
Maine	1,274,923	0.99%	1,338,404	0.89%
Michigan	9,938,444	7.72%	9,995,915	6.67%
Minnesota	4,919,479	3.82%	5,611,179	3.75%
Mississippi	2,844,658	2.21%	2,986,530	1.99%
Nebraska	1,711,263	1.33%	1,929,268	1.29%
Nevada	1,998,257	1.55%	3,034,392	2.03%
New Mexico	1,819,046	1.41%	2,095,428	1.40%
New York	18,976,457	14.74%	19,542,209	13.05%
North Carolina	8,049,313	6.25%	10,383,620	6.93%
North Dakota	642,200	0.50%	760,077	0.51%
South Dakota	754,844	0.59%	882,235	0.59%
Tennessee	5,689,283	4.42%	6,770,010	4.52%
Vermont	608,827	0.47%	626,299	0.42%
West Virginia	1,808,344	1.40%	1,805,832	1.21%
Wisconsin	5,363,675	4.16%	5,813,568	3.88%
Total	128,782,009	100.00%	149,793,578	100.00%

28 U.S.C. § 1715(b)(8): Judicial Opinions

Enclosed are the following judicial opinions relating to the materials described in 28 U.S.C. §§ 1715(b)(3) through (b)(6):

1. Order Granting Final Approval of Indirect Purchaser Settlements, filed July 7, 2017 [Dkt. No. 4712] (Tab 14)

² 2000 state population metrics based on U.S. government census data, available at <https://www.census.gov/population/www/cen2000/maps/respop.html>.

³ 2018 estimated state population metrics based on U.S. government population estimates, available at <https://www.census.gov/newsroom/press-kits/2018/pop-estimates-national-state.html>.

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September 26, 2019

Page 6

2. Order on Attorneys' Fees, Expenses, and Incentive Awards Regarding Indirect Purchaser Plaintiff Settlements, filed August 3, 2016 [Dkt. No. 4740] (Tab 15)
3. Order of the Ninth Circuit in *In re: Indirect Purchaser Plaintiffs v. Toshiba Corporation*, No. 16-16373 (9th Cir.), filed February 13, 2019 [Dkt. No. 252] (Tab 16)

We trust that you find this Notice appropriate and complete. If you have any questions, please do not hesitate to contact us.

Respectfully submitted,

/s/ Jeffrey L. Kessler

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September 26, 2019

Page 7

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⁴ MT Picture Display Co., Ltd. has been dissolved and completed final liquidation proceedings in Japan on May 23, 2019.

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September 26, 2019

Page 8

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Enclosures

cc: Mario Alioto, Esq., Lead Counsel for IPPs (w/o enclosures)